

Application No. 10/804,328
Amendment dated July 25, 2007
Reply to Office Action of April 23, 2007

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Docket No.: 61032(70904)

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JUL 25 2007REMARKS

Claims 1-30 were pending in the application. Claims 1, 12, and 23-30 have been amended. Accordingly, once the amendments presented herein have been entered, claims 1-30 will remain pending. Support for the amendments to the claims can be found throughout the specification and claims as originally filed. No new matter has been added.

Rejection of Claims Under 35 USC 102(a) and (b)

The Examiner has rejected claims 1-15 and 17-30 under 35 USC 102(b) as being anticipated by Nakamura and claims 1-7, 10-18, and 21-30 as being anticipated by Cheong. Applicants respectfully traverse this rejection.

For a reference to anticipate the pending claims, the reference must teach each and every element that is set forth in the claims, either expressly or inherently (see, *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed Cir. 1987) and MPEP 2131). Neither Nakamura or Cheong teach or suggest each and every element of the claims as amended.

The claims are directed to optical information recording medium comprising, among other features, a light absorption layer which absorbs a light beam and exchanges the light beam into heat so as to raise a temperature of the temperature responsive layer. This feature results in a super-resolution effect whereby the spot size of a light beam can be reduced since the transmittance and/or reflectance of the temperature responsive layer changes with heat transfer from the light absorption layer that absorbs a light beam to the temperature responsive layer.

Therefore, the cited references do not teach or suggest each and every element of the claimed invention. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the foregoing rejection.

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CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: July 25, 2007

Respectfully submitted,

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